RESPONSE UNDER 37 C.F.R. 1.116 -EXPEDITED PROCEDURE - EXAMINING GROUP [1645]

Attornev's Docket No. 038779/280277

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

For: PRIMERS FOR AMPLIFYING HSP 65 GENE OF MYCOBACTERIAL SPECIES HSP65 GENE FRAGMENTS AND METHOD OF IDENTIFYING

MYCOBACTERIAL SPECIES WITH SAME

the Office Action dated June 23, 2009.

Mail Stop AF Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450

1.

PETITION AND FEE FOR EXTENSION OF TIME 37 C.F.R. § 1.136(a)

This is a petition for an extension of time for a total period of three months to respond to

2.	Applicant is	a small entity;	\times	other than a small entity.		
3.	Calculation of extension fee (37 C.F.R. § 1.17(a)(1)-(a)(5)):					
		Total Months	<u>Fe</u>	e for Other Than		
		Requested		Small Entity		
		Three months		\$980.00*		
			*\$1	,110 - \$130 = \$980		
*Canr	not be used to exceed s	x-month statutory limit for res	sponse to	an Official Action.		
	A check in the amount of \$ is enclosed.					
X	Charge Deposit Account No. 16-0605 for the extension fee.					
\boxtimes	Charge Deposit Account No. 16-0605 for any fee deficiency.					
	Charge Deposit 2	1000001 140. 10-0005 101	uny rec	deficiency.		
			-	10.11		

John E. Johnson, VII Registration No. 58,367

Customer No. 00826 ALSTON & BIRD LLP Bank of America Plaza 101 South Tryon Street, Suite 4000 Charlotte, NC 23280-4000 Tel Charlotte Office (704) 444-1000 Fax Charlotte Office (704) 444-1111 LEGAL02316578001